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FILED

Attorneys for Defendants
 COUNTY OF SANTA CLARA and Its
 Santa Clara Valley Medical Center,
 PAUL ESTESS AND ANNA HUGHES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

HUIMIN SONG,

Plaintiff,

v.

COUNTY OF SANTA CLARA, et al.,

Defendants.

No. CV12-05848 RMW

**STIPULATION AND ORDER ENLARGING
 TIME FOR DEFENDANTS TO RESPOND
 TO PLAINTIFF'S FIRST AMENDED
 COMPLAINT AND CONTINUANCE OF
 CASE MANAGEMENT CONFERENCE**

The parties, through their respective counsel of record, hereby stipulate and agree to an order enlarging time, until February 14, 2014, for Defendants County of Santa Clara and its Santa Clara Valley Medical Center, Paul Estess and Anna Hughes to file and serve a response to the First Amended Complaint of Plaintiff Huimin Song. The First Amended Complaint was served on March 13, 2013.

The parties recognize that there have been several extensions in this matter. However, good cause continues to exist for this enlargement of time. Song and the County of Santa Clara are involved in litigation in the matter of *Huimin Song and Andy Xie v. County of Santa Clara, Santa Clara Valley Medical Center, et. al.*, Case No. CV11-04450, pending before United States District Judge Edward J. Davila. The parties have been engaged in private mediation since January 16, 2013 with mediator Kael Briski of the Briski Mediation Group. Since the initial mediation on January 16, the parties and Mr. Briski have had countless email communications, five face to face discussions

1 and no less than fifty phone conferences. Many settlement demands, offers and terms of resolution
2 have been exchanged, most recently in discussion between counsel on December 24, 2013. The
3 settlement discussions have involved resolution of all issues in the *Song and Xie v. County matter*,
4 the allegations giving rise to the present lawsuit, multiple EEOC complaints, union grievances and
5 recent personnel actions involving Song, Xie and the County.

6 On November 25, 2013, Judge Davilla issued an Order Granting in Part and Denying In Part
7 Defendants' Motion for Summary Judgment in *Huimin Song and Andy Xie v. County of Santa Clara*,
8 *Santa Clara Valley Medical Center*. Judge Davila, on December 3, 2013, issued an Order permitting
9 the parties to file a further dispositive motion on the remaining cause of action in that matter.
10 Briefing was completed on December 16, 2013. The parties believe the outcome of the dispositive
11 motion on the remaining cause of action will impact the settlement discussions currently pending
12 with the mediator, Mr. Briski, and request a final extension in the present matter.

13 In view of the time and effort that will be necessary to prepare an appropriate responsive
14 pleading and the anticipated settlement of all litigation, the parties respectfully request a final order
15 enlarging Defendants time to respond to the First Amended Complaint to February 14, 2014.
16 Furthermore, the parties request that the Case Management Conference be continued to Friday,
17 February 28, 2014, 10:30 a.m.

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I hereby attest that I have on file the holograph signature indicated by a "conformed" signature (/S/) within this e-filed document.

IT IS SO STIPULATED

Respectfully submitted,

LAW OFFICES OF
BONNER & BONNER

Dated: December 27, 2013

By: _____/S/
CHARLES A. BONNER, ESQ.
Attorney for Plaintiff
HUIMIN SONG

ORRY P. KORB
County Counsel

Dated: December 27, 2013

By: _____/S/
JOHN L. WINCHESTER, III
Deputy County Counsel

Attorneys for Defendant
COUNTY OF SANTA CLARA and Its
Santa Clara Valley Medical Center,
PAUL ESTESS AND ANNA HUGHES

ORDER

Defendants may have to and including February 14, 2014 by which to file and serve a response to Plaintiff's First Amended Complaint. The Case Management Conference is continued to February 28, 2014, 10:30 a.m. The Joint Case Management Statement is to be filed no later than February 21, 2013.

Dated: FEB 1


HONORABLE RONALD M. WHITE
United States District Court Judge